

### **REMARKS**

Reconsideration of this application is respectfully requested in view of the following remarks.

Claims 5-7, 13-15, 21-23 and 28 have been withdrawn from consideration. Claims 2, 26, 27, 29 and 31 have been cancelled. All other claims have been left in either their original or previously presented form. Thus, claims 1, 3, 4, 8-12, 16-20, 24, 25 and 30 are currently pending in the application and subject to examination.

#### **Rejection Under 35 U.S.C. § 102(e)**

In the outstanding Office Action, claims 1, 3, 4, 8-12, 16-20, 24, 25 and 30 were rejected under 35 U.S.C. § 102(e) as being anticipated by Horita et al., U.S. Patent No. 6,759,970 (hereinafter, "Horita"). The Applicant hereby traverses the rejection, as follows.

Independent claims 1, 10, 18, and 30 are rejected under 35 U.S.C. § 102(e) as being anticipated by Horita. It is submitted that Horita fails to disclose or suggest the navigation apparatus and server, as claimed. More particularly, independent claim 1 recites, in part, a navigation apparatus with "a map information storage section for storing map information acquired from a server apparatus," and "wherein, if continuous map information from a start location to a destination location is not stored in the map information storage section, the navigation apparatus transmits the start location and the destination location to the server apparatus in order to acquire therefrom **map information** of unit areas that covers a rectangular area of which two diagonal vertices coincide with the start and destination locations." Similarly,

independent claim 10 recites, in part, a navigation apparatus with “a map information storage section for storing map information acquired from a server apparatus,” and “wherein continuous map information from a start location to a destination location is stored in the map information storage section, and, if there exists any other continuous combination, the navigation apparatus transmits the start location and the destination location to the server apparatus in order to acquire therefrom **map information** consisting of unit areas that covers a rectangular area of which two diagonal vertices coincide with the start and destination locations.” Similarly, independent claim 18 recites, in part, a navigation apparatus with “a map information storage section for storing map information acquired from a server apparatus” and “wherein, if continuous map information from a start location to a destination location is not stored in the map information storage section, a route is searched for, and the navigation apparatus acquires from the server apparatus **map information** consisting of unit areas that covers an area including and neighboring the retrieved route.” Similarly, independent claim 30 recites, in part, a server apparatus “for **transmitting map information** to a navigation apparatus” that “receives from the navigation apparatus a start location and a destination location, the server apparatus transmits to the navigation apparatus **map information** consisting of unit areas that covers a rectangular area of which two diagonal vertices coincide with the start and destination locations.” Horita does not disclose or suggest the navigation apparatus and server, as claimed.

Horita does disclose a broadcasting system, broadcast receiving hardware systems, and navigation terminal. The broadcasting system includes the car navigation system 150 that may receive information from a GPS satellite 120 (column 11, lines 45-

50). However, there is no mention of communication between the broadcast receiving hardware systems and a server, as claimed. Further, as Horita describes in column 8 lines 4-13, the purpose of the system is to provide "**traffic regulation information** from the communications base station" to the vehicle. There is no mention of any other type of information transferred in Horita, as cited by the Examiner. There is no mention of a server containing map information, as claimed, nor is there mention of the transmission of that map information. There is also no mention in Horita, as cited by the Examiner, of a navigation apparatus transmitting to a server apparatus a start and a destination location. As shown in FIG. 1 and discussed in column 11, lines 39-54, the system selects an "area to which **traffic regulation information** is to be transmitted" 180 and ultimately sends that information to the car navigation system 150 via satellite broadcast signal 105 (column 11, lines 55-60).

The Examiner cites FIG. 9 and columns 9-18 of Horita as showing various aspects of the claimed invention. However, the Examiner fails to address many of the claimed features present at least in independent claims 1, 10, 18, and 30. For example, the Examiner does not discuss communication between a navigation device and any other device, much less communication between the navigation device and a server, as claimed. In fact, the Examiner fails to account for the claimed "server" in Horita and, indeed, does not even mention the word. The Examiner also fails to account for the transmission of map information, much less the transmission of map information from a sever to a navigation apparatus, as claimed. The Examiner mentions "map information" only to allege that the navigation device of Horita "has a map information storage section."

In fact, Horita, as cited by the Examiner, does not disclose communication between a navigation device and a server nor the transfer of map information, much less the transfer of map information between a server and a navigation device, as claimed. As noted above, the transfer of information in Horita is specifically described as the "traffic regulation information" throughout the specification of Horita. The Examiner cites FIG. 9, yet the word "map" is not used in the entire discussion of FIG. 9 and related FIG. 8 that proceeds from column 29, line 7 to column 31 line 26. In that discussion, the only signals described by Horita that can be received by the car navigation system in connection with FIGs. 8 and 9 are: 1) the "satellite broadcast signal 830" (column 29, lines 60-65), 2) the "location confirmation signal 850 from GPS satellite 120" for identifying "the location of vehicle 130" (column 30 lines 17-20). Both of these signals originate from satellites, as opposed to servers. Further, Horita does not disclose that either of the signals 830 or 850 is transmitted from a server, as claimed. In fact, the word "server" is not mentioned in the specification of Horita. Horita also does not disclose that either of the signals 830 or 850 contains map information, as claimed. In column 30 lines 37-42, Horita specifies that the car navigation system "receives the satellite broadcast signal 830 and retrieves the information that has been broadcast, the information specifying the transmission designation areas, and the information specifying the available hours of the broadcast information." This does not include map information. Horita describes that this information is to be used to display message 880 indicating the presence of emergency vehicle 800 in column 31, line 9. No other communication to the car navigation system is disclosed, taught or otherwise suggested in Horita, as cited by the Examiner.

For at least these reasons, independent claims 1, 10, 18, and 30 are not anticipated by the cited prior art. Independent claims 1, 10, 18, and 30 are therefore submitted as being patentable. Moreover, it is submitted that the dependent claims 3, 4, 8, 9, 11, 12, 16, 17, 19, 20, 24 and 25 are allowable at least because of their ultimate dependency on independent claims 1, 10, 18, and 30, and for the additional features they recite. For all of the above reasons, it is respectfully submitted that claims 1, 3, 4, 8-12, 16-20, 24, 25 and 30 are in condition for allowance and a Notice of Allowability is earnestly solicited.

**Conclusion**

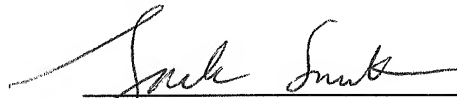
For all of the above reasons, it is respectfully submitted that claims 1, 3, 4, 8-12, 16-20, 24, 25 and 30 are in condition for allowance and a Notice of Allowability is earnestly solicited.

Should the Examiner determine that any further action is necessary to place this application into better form, the Examiner is invited to contact the undersigned representative at the telephone number listed below.

In the event this paper is not considered to be timely filed, the Applicants hereby petition for an appropriate extension of time. The Commissioner is hereby authorized to charge any fee deficiency or credit any overpayment associated with this communication to Deposit Account No. 01-2300 referencing client matter number 103213-00102.

Respectfully submitted,

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